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310 820 5988

T-770 P.001/011 F-071

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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## FACSIMILE COVER SHEET

Deliver to: Matthew D. Spittle, USPTO Art Group: 2111  
Facsimile No.: (571) 273-8300 Date: January 17, 2007  
From: Jonathan S. Miller, Reg. No. 48,534  
Our Docket No.: 42390P10573 Number of pages 11 including this sheet.  
Application No.: 09/896,769 Filing Date: 6/29/2001  
Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

|   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: Supplemental ( <u>3</u> pgs)                                   | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( <u>   </u> pgs)   | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: _____<br>( <u>   </u> pgs) w/cover & abstract                           | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>   </u> pgs)   | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Certificate of _____   | <input type="checkbox"/> Reply Brief ( <u>   </u> pgs)                            |
| <input type="checkbox"/> Continued Prosecution Application (CPA)  | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( <u>   </u> pgs)  | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: <u>   </u> sheets, <u>   </u> figures                                      | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____   | <input type="checkbox"/> Response to Written Opinion ( <u>   </u> pgs)            |
| <input checked="" type="checkbox"/> Fee Transmittal (In duplicate)  | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( <u>   </u> pgs)  | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> Other Attachments (2): <u>Declaration of Darren L. Abramson under 37 CFR § 1.132</u> | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <u>Declaration of John S. Howard under 37 CFR § 1.132</u>   |   |

### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Jean Svoboda

1/17/2007

Date

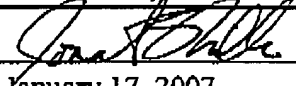
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JAN 17 2007

|   |   |                        |                    |
|---|---|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |   | Application No.        | 09/896,769         |
|   |   | Filing Date            | June 29, 2001      |
|   |   | First Named Inventor   | Darren L. Abramson |
|   |   | Art Unit               | 2111               |
|   |   | Examiner Name          | Matthew D. Spittle |
| Total Number of Pages in This Submission  | 9 | Attorney Docket Number | 42390P10573        |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> PTO/SB/08<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s)<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Fax transmittal</div> |
| Remarks<br>Attachments (2): Declaration of Darren L. Abramson under 37 CFR § 1.132.<br>Declaration of John S. Howard under 37 CFR § 1.132.  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Jonathan S. Miller, Reg. No. 48,534<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP       |
| Signature                                  |  |
| Date                                       | January 17, 2007  |

| CERTIFICATE OF MAILING/TRANSMISSION  |   |      |                  |
|--|---|------|------------------|
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. |   |      |                  |
| Typed or printed name  | Jean Svoboda  |      |                  |
| Signature  |  | Date | January 17, 2007 |

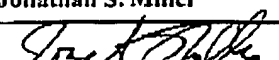
Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (nec) 10/12/2006.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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|  |  |                          |                    |
|--|--|--------------------------|--------------------|
| <b>FEE TRANSMITTAL</b><br><b>for FY 2006</b><br><small>Patent fees are subject to annual revision.</small> |  | <b>Complete if Known</b> |                    |
|  |  | Application Number       | 09/896,769         |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.                            |  | Filing Date              | June 29, 2001      |
|  |  | First Named Inventor     | Darren L. Abramson |
| <b>TOTAL AMOUNT OF PAYMENT</b> (\$)  |  | Examiner Name            | Matthew D. Spittle |
|  |  | Art Unit                 | 2111               |
|  |  | Attorney Docket No.      | 42390P10573        |

|  |  |
|--|--|
| <b>METHOD OF PAYMENT</b> (check all that apply)  |  |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ |  |
| <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor &amp; Zafman LLP</u>                             |  |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)   |  |
| <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee   |  |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) <input checked="" type="checkbox"/> Credit any overpayments   |  |
| under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.   |  |

| Large Entity              |          | Small Entity |          | Fee Description  | Fee Paid    |
|---------------------------|----------|--------------|----------|--|-------------|
| Fee Code                  | Fee (\$) | Fee Code     | Fee (\$) |  |             |
| 1051                      | 130      | 2051         | 65       | Surcharge - late filing fee or oath                              |             |
| 1052                      | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.          |             |
| 2053                      | 130      | 2053         | 130      | Non-English specification  |             |
| 1251                      | 120      | 2251         | 60       | Extension for reply within first month                           |             |
| 1252                      | 450      | 2252         | 225      | Extension for reply within second month                          |             |
| 1253                      | 1,020    | 2253         | 510      | Extension for reply within third month                           |             |
| 1254                      | 1,590    | 2254         | 795      | Extension for reply within fourth month                          |             |
| 1255                      | 2,180    | 2255         | 1,080    | Extension for reply within fifth month                           |             |
| 1401                      | 500      | 2401         | 250      | Notice of Appeal   |             |
| 1402                      | 500      | 2402         | 250      | Filing a brief in support of an appeal                           |             |
| 1403                      | 1,000    | 2403         | 500      | Request for oral hearing   |             |
| 1451                      | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                    |             |
| 1460                      | 130      | 2460         | 130      | Petitions to the Commissioner                                    |             |
| 1807                      | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)                              |             |
| 1808                      | 180      | 1808         | 180      | Submission of Information Disclosure Stmt                        |             |
| 1809                      | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))    |             |
| 1810                      | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b)) |             |
| Other fee (specify) _____ |          |              |          |  |             |
|                           |          |              |          | <b>SUBTOTAL (2)</b>  | <b>(\$)</b> |

|                     |   |                                      |                |
|---------------------|---|--------------------------------------|----------------|
| <b>SUBMITTED BY</b> |   | <b>Complete (if applicable)</b>      |                |
| Name (Print/Type)   | Jonathan S. Miller  | Registration No.<br>(Attorney/Agent) | 48,534         |
| Signature           |  | Telephone                            | (310) 207-3800 |
|                     |   | Date                                 | 01/17/07       |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.  
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|---|--|--------------------------|--------------------|
| <b>FEE TRANSMITTAL<br/>for FY 2006</b>  |  | <i>Complete if Known</i> |                    |
| <small>Patent fees are subject to annual revision.</small>                      |  | Application Number       | 09/896,769         |
|   |  | Filing Date              | June 29, 2001      |
|   |  | First Named Inventor     | Darren L. Abramson |
|   |  | Examiner Name            | Matthew D. Spittle |
|   |  | Art Unit                 | 2111               |
|   |  | Attorney Docket No.      | 42390P10573        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. |  |                          |                    |
| <b>TOTAL AMOUNT OF PAYMENT</b> (\$)   |  |                          |                    |

**METHOD OF PAYMENT** (check all that apply)

☐ Check 
 ☐ Credit card 
 ☐ Money Order 
 ☐ None 
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

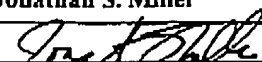
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below 
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) 
 ☒ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

| Large Entity              |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------------|----------|--------------|----------|--|----------|
| Fee Code                  | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                      | 130      | 2051         | 65       | Surcharge - late filing fee or oath                              |          |
| 1052                      | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.          |          |
| 2053                      | 130      | 2053         | 130      | Non-English specification  |          |
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| 1254                      | 1,590    | 2254         | 795      | Extension for reply within fourth month                          |          |
| 1255                      | 2,160    | 2255         | 1,080    | Extension for reply within fifth month                           |          |
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| 1402                      | 500      | 2402         | 250      | Filing a brief in support of an appeal                           |          |
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| 1807                      | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)                              |          |
| 1806                      | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                        |          |
| 1809                      | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))    |          |
| 1810                      | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b)) |          |
| Other fee (specify) _____ |          |              |          |  |          |
| <b>SUBTOTAL (2)</b> (\$)  |          |              |          |  |          |

|                     |   |                                      |                |
|---------------------|---|--------------------------------------|----------------|
| <b>SUBMITTED BY</b> |   | <i>Complete (if applicable)</i>      |                |
| Name (Print/Type)   | Jonathan S. Miller  | Registration No.<br>(Attorney/Agent) | 48,534         |
| Signature           |  | Telephone                            | (310) 207-3800 |
|                     |   | Date                                 | 01/17/07       |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/12/15/2004).  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

JAN 17 2007

Docket No. 42390.P10573

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of:

Darren L. Abramson, et al.

Application No.: 09/896,769

Filed: June 29, 2001

For: **METHOD AND APPARATUS FOR  
DETERMINISTIC REMOVAL AND  
RECLAMATION OF WORK ITEMS  
FROM AN EXPANSION BUS  
SCHEDULE**

Art Unit: 2111

Examiner: Matthew D. Spittle

**SUPPLEMENTAL RESPONSE TO FINAL OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the telephone conversation with Examiner Spittle on January 5, 2007,  
Applicants respectfully request reconsideration in view of the following remarks.